

United States Department of the Interior



OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
Interior Region 7
PO Box 25065
Denver, CO 80225-0065



May 17, 2022

CO-0106C

Mrs. Sarah Vance
Environmental Engineer
GCC Energy, LLC
11783 Highway 337 South
Tijeras, NM 87059

RE: Administrative Completeness Review Findings
Permit Renewal Application - Federal Permit No. CO-0106C
King II Mine
OSMRE Project Tracking Code: UM.CO.0106.3685

Dear Ms. Vance:

In correspondence dated March 17, 2022, GCC Energy, LLC (GCC) submitted to the Office of Surface Mining Reclamation and Enforcement (OSMRE) a permit renewal application for the King II Mine Federal Permit CO-0106C. In accordance with the regulations at 30 CFR 774.15(b)(1), an application for renewal of a permit shall be filed with the regulatory authority at least 120 days before expiration of the existing permit term. The active permit term has an expiration date of April 17, 2022. A timely review period required that GCC submit the proposed application to renew on or before December 17, 2021. For this reason, OSMRE administratively delayed its decision by email dated March 18, 2022. GCC submitted the complete permit renewal application package on May 16, 2022.

The Office of Surface Mining Reclamation & Enforcement (OSMRE) has determined that this application is administratively complete for the purpose of inspection by the public and review by applicable local, tribal, and federal government agencies. The application proposes to renew Permit CO-0106C for a 5-year period, April 17, 2022 thru April 17, 2027.

GCC must publish its public notice of the renewal application in a newspaper of general circulation in the locality of the King II Mine as per your revised notice received via email by this office on May 16, 2022. At a minimum, these notices must contain the information required at 30 CFR 773.6(a)(1) and must appear in these publications at least once per week for four consecutive weeks.

Upon publication of the fourth newspaper notice, please forward to OSMRE proof of publication documentation as a confirmation that these requirements have been met. As should be reflected in the language of these notices, the public comment period is to commence upon publication of the first notice and is to continue a minimum of thirty days after the fourth and final public notice.

As per OSMRE's review of the draft public notice, it is understood that a copy of the Permit Renewal Application is to be made available for public inspection at the following location:

La Plata County Clerk and Recorder
679 Turner Drive
Durango, Colorado 81301

As a reminder, it is required that GCC ensure that the application is accurate and complete, and made available for public review on or before the day of the first newspaper notice is published and remain so throughout the public comment period. Please be further advised that, should any subsequent changes to this application occur during the course of OSMRE's technical evaluation of the document, these modifications will need to be immediately placed with the publicly available copy.

Should you have questions or need clarification regarding the contents of this letter or attachments, please contact me at (303) 236-4693 or jspangler@osmre.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jeremy Spangler". The signature is fluid and cursive, with the first name "Jeremy" and last name "Spangler" clearly distinguishable.

Jeremy Spangler, King II Mine Permit Coordinator
Indian Program Branch, Program Support Division
OSMRE-Interior Region 7

Attachment: Administrative Completeness Review of Permit Renewal Application

Enclosure: King II Mine Permit Renewal Application

cc: Ute Mountain Ute Tribe, Scott Clow
Ute Mountain Ute BIA, Angela Arviso
Ute Mountain Ute BIA, Stephanie Tsosie
BLM Tres Rios Field Office, Connie Clementson
CO-DRMS, Janet Binns

ADMINISTRATIVE COMPLETENESS REVIEW OF PERMIT RENEWAL APPLICATION

1. COMPANY: GCC Energy, LLC (GCC)

2. MINE/OPERATION: King II Mine; CO-0106C

3. TRACKING SYSTEM INFORMATION:

A. OSMRE Project Number: UM.CO.0106.3685

B. Letterhead date of submittal: May 16, 2022

4. TYPE OF APPLICATION/DOCUMENT REVIEWED:

- 2022 King II Mine Permit renewal application

5. EVALUATION:

A. Review Criteria: 30 CFR 774.15 Permit Renewal

B. Materials Reviewed: Permit Renewal Application

In correspondence dated March 17, 2022, GCC Energy, LLC (GCC) submitted to the Office of Surface Mining Reclamation and Enforcement (OSMRE) a permit renewal application for the King II Mine Federal Permit CO-0106C. In accordance with the regulations at 30 CFR 774.15(b)(1), an application for renewal of a permit shall be filed with the regulatory authority at least 120 days before expiration of the existing permit term. The active permit term has an expiration date of April 17, 2022. A timely review period required that GCC submit the proposed application to renew on or before December 17, 2021. For this reason, OSMRE administratively delayed its decision by email dated March 18, 2022. GCC submitted the complete permit renewal application package on May 16, 2022.

Approval of this application would renew the King II Mine permit for a five-year term, April 17, 2022 to April 17, 2027. OSMRE uses the administrative completeness review to determine if the proposed Permit Renewal Application contains all the requirements of 30 CFR 774.15.

C. Completeness:

☒ No Omissions

☐ Omissions

1a) Statement of Omission:

GCC's permit renewal application does not contain omissions

2b) Discussion:

OSMRE evaluated GCC's King II Mine permit renewal application for administrative completeness as follows:

Regulation	Requirement	Revised Section	Completeness Status
30 CFR 774.15(b)(2)(i)	Name and Address of Permittee	Renewal Application; cover letter	Complete
30 CFR 774.15(b)(2)(i)	Term of Renewal	Renewal Application; cover letter	Complete
30 CFR 774.15(b)(2)(i)	Permit Number	Renewal Application; cover letter	Complete
30 CFR 774.15(b)(2)(ii)	Certificate of Liability Insurance	Renewal Application; appended	Complete
30 CFR 774.15(b)(2)(iii)	Evidence of Performance Bond	Renewal Application; appended	Complete

GCC submitted an example of copy of the proposed newspaper notice of announcement of the availability of the King II Mine permit renewal application for public viewing. GCC will submit the proof of publication and a copy of the newspaper notice when it becomes available, in accordance with 30 CFR 774.15(b)(2)(iv).

As OSMRE has determined that GCC's application for permit renewal application is administratively complete, it will begin its review of GCC's permit renewal application for technical compliance.

6. ASSIGNEE SIGNATURE/SURNAMES:

Prepared by: Jeremy Spang

Date: May 17, 2022

Reviewed by: [Signature]

Date: May 17, 2022